

“Date”

Ms. Mary Punch
Human Resources Director,
South Lafourche Levee District
P.O. Box 426
Galiano, LA 70354

RE: Ethics Board Docket No. 2021-076

Dear Ms. Punch:

The Louisiana Board of Ethics, at its April 9, 2021 meeting, considered your request for an advisory opinion as to whether the South Lafourche Levee District (“SLLD”) could re-hire Windell Curole on a part-time basis following his retirement in September 2021.

FACTS PROVIDED

You provided that you are the Human Resources Director for the SLLD. You stated that the General Manager of the SLLD, Windell Curole, intends to retire in September 2021. You stated that Mr. Curole is the agency head of the SLLD and answers only to the board of commissioners. You stated that the SLLD would like re-hire Mr. Curole as a W-2 employee performing similar duties but on a part-time basis and that he would not be contracting with the SLLD.

LAW

La. R.S. 42:1121A prohibits a former agency head, for a period of two years following the termination of his public service as the head of such agency, from assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that agency or render any service on a contractual basis to or for such agency.

La. R.S. 42:1102(16) defines “person” to mean an individual or legal entity other than a governmental entity, or an agency thereof.

CONCLUSION

The Board concluded and instructed me to inform you, the Code of Governmental Ethics (Ethics Code) would not prohibit the SLLD from re-hiring Windell Curole after he retires from the SLLD. Should Mr. Curole be re-hired as a W-2 employee, he would not be assisting another person. Since the SLLD is an agency of a governmental entity and thus not a person, Mr. Curole would not be assisting another person for compensation following his retirement from the SLLD. Furthermore, since Mr. Curole would be re-hired as a W-2 employee, he would not be contracting with his former agency.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

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Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board

DISCLAIMER
*This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only,
and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.*